

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BARBARA D. BAKER,

Plaintiff,

v.

ORDER
10-CV-159A

AVI FOODSYSTEMS, INC.,

Defendant.

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On December 6, 2011, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that defendant's motion for summary judgment be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, defendant's motion for summary judgment is granted.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: December 22, 2011